

JEREMY PASTERNAK, Bar No. 181618
jd@pasternaklaw.com
DEANNA L. MAXFIELD, Bar No. 291913
dm@pasternaklaw.com
Law Offices of Jeremy Pasternak
354 Pine Street, Fifth Floor
San Francisco, CA 94104
Telephone: (415) 693-0300
Facsimile: (415) 693-0393

Attorneys for Plaintiff
ALEXIS BERMUDEZ

BARBARA A. BLACKBURN, Bar No. 253731
bblackburn@littler.com
NATHANIEL H. JENKINS, Bar No. 312067
njenkins@littler.com
LITTLER MENDELSON, P.C.
500 Capitol Mall
Suite 2000
Sacramento, CA 95814
Telephone: 916.830.7200
Facsimile: 916.561.0828

Attorneys for Defendant
UNITED PARCEL SERVICE, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALEXIS BERMUDEZ, an individual,

Plaintiff,

v.

UNITED PARCEL SERVICE, INC., an Ohio Corporation; UNITED PARCEL SERVICE CO., a Delaware Corporation, individually and doing business as UNITED PARCEL SERVICE CO. (AIR); UNITED PARCEL SERVICE OF AMERICA, INC., a Delaware Corporation; UNITED PARCEL SERVICE GENERAL SERVICES CO., a Delaware Corporation; UPS EXPEDITED MAIL SERVICES, INC., a Delaware Corporation; UPS FUEL SERVICES, INC., a Delaware Corporation; UPS PROFESSIONAL SERVICES, INC., a Delaware Corporation;

Case No. 3:19-cv-04140-CRB

STIPULATION RE: DISMISSAL OF PARTIES

ORDER
Complaint Filed: June 18, 2019
Trial Date: None Set

UPS GROUND FREIGHT, INC., a Virginia Corporation; UPS MAIL INNOVATIONS, INC., a Delaware Corporation; UPS SUPPLY CHAIN SOLUTIONS GENERAL SERVICES, INC., a Delaware Corporation; UPS SUPPLY CHAIN SOLUTIONS, INC., a Delaware Corporation; UPS WORLDWIDE FORWARDING, INC., a Delaware Corporation; and Does 1- 20, inclusive,

Defendants.

The parties, through their respective counsel, stipulate as follows:

WHEREAS, Plaintiff has brought this action relating to his former employment against a number of entities including the following: UNITED PARCEL SERVICE, INC., an Ohio Corporation; UNITED PARCEL SERVICE CO., a Delaware Corporation, individually and doing business as UNITED PARCEL SERVICE CO. (AIR); UNITED PARCEL SERVICE OF AMERICA, INC., a Delaware Corporation; UNITED PARCEL SERVICE GENERAL SERVICES CO., a Delaware Corporation; UPS EXPEDITED MAIL SERVICES, INC., a Delaware Corporation; UPS FUEL SERVICES, INC., a Delaware Corporation; UPS PROFESSIONAL SERVICES, INC., a Delaware Corporation; UPS GROUND FREIGHT, INC., a Virginia Corporation; UPS MAIL INNOVATIONS, INC., a Delaware Corporation; UPS SUPPLY CHAIN SOLUTIONS GENERAL SERVICES, INC., a Delaware Corporation; UPS SUPPLY CHAIN SOLUTIONS, INC., a Delaware Corporation; and UPS WORLDWIDE FORWARDING, INC., a Delaware Corporation;

WHEREAS, these entities, through their counsel, have represented and do represent that UNITED PARCEL SERVICE, INC., an Ohio Corporation, is the proper Defendant who was Plaintiff's former employer with respect to Plaintiff's claims in this matter; and

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1 WHEREAS, the Parties agree that UNITED PARCEL SERVICE CO., a Delaware
2 Corporation, individually and doing business as UNITED PARCEL SERVICE CO. (AIR);
3 UNITED PARCEL SERVICE OF AMERICA, INC., a Delaware Corporation; UNITED
4 PARCEL SERVICE GENERAL SERVICES CO., a Delaware Corporation; UPS EXPEDITED
5 MAIL SERVICES, INC., a Delaware Corporation; UPS FUEL SERVICES, INC., a Delaware
6 Corporation; UPS PROFESSIONAL SERVICES, INC., a Delaware Corporation; UPS
7 GROUND FREIGHT, INC., a Virginia Corporation; UPS MAIL INNOVATIONS, INC., a
8 Delaware Corporation; UPS SUPPLY CHAIN SOLUTIONS GENERAL SERVICES, INC., a
9 Delaware Corporation; UPS SUPPLY CHAIN SOLUTIONS, INC., a Delaware Corporation;
10 and UPS WORLDWIDE FORWARDING, INC., a Delaware Corporation, should be dismissed
11 from the Action in order to simplify the pleadings and serve the interests of judicial economy;
12 and

13 WHEREAS, said dismissal shall be without prejudice; and

14 WHEREAS, the parties agree that if the Court determines that any of the Dismissed
15 Defendants should be reintroduced into the case (for example, based on a contention by Plaintiff
16 and a finding by the Court that one is an alter ego of or successor-in-interest to UNITED
17 PARCEL SERVICE, INC., an Ohio Corporation, which is not conceded by this stipulation),
18 such reintroduction shall relate back to the time of the filing of the original complaint in this
19 matter for the purposes of the calculation of any applicable statutes of limitation:

20 The parties therefore request this Court Order that UNITED PARCEL SERVICE CO., a
21 Delaware Corporation, individually and doing business as UNITED PARCEL SERVICE CO.
22 (AIR); UNITED PARCEL SERVICE OF AMERICA, INC., a Delaware Corporation; UNITED
23 PARCEL SERVICE GENERAL SERVICES CO., a Delaware Corporation; UPS EXPEDITED
24 MAIL SERVICES, INC., a Delaware Corporation; UPS FUEL SERVICES, INC., a Delaware
25 Corporation; UPS PROFESSIONAL SERVICES, INC., a Delaware Corporation; UPS
26 GROUND FREIGHT, INC., a Virginia Corporation; UPS MAIL INNOVATIONS, INC., a
27 Delaware Corporation; UPS SUPPLY CHAIN SOLUTIONS GENERAL SERVICES, INC., a
28 Delaware Corporation; UPS SUPPLY CHAIN SOLUTIONS, INC., a Delaware Corporation;

1 and UPS WORLDWIDE FORWARDING, INC., a Delaware Corporation, be dismissed without
2 prejudice.

3 Dated: October 18, 2019

LAW OFFICES OF JEREMY PASTERNAK

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5 By: /s/ Jeremy Pasternak (as approved on 10/18/19)
6 Jeremy Pasternak
7 Deanna L. Maxfield
8 Attorneys for Plaintiff
9 ALEXIS BERMUDEZ

10 Dated: October 21, 2019

LITTLER MENDELSON, P.C.

11 By: /s/ Barbara A. Blackburn
12 Barbara A. Blackburn
13 Nathaniel H. Jenkins
14 Attorneys for Defendant
15 UNITED PARCEL SERVICE, INC.

16 Dated: October 24, 2019

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